

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
DAVID VALENCIA,

Plaintiff,

against

GAMMA THOMPSON CORP, et al.,

Defendant.

CIVIL ACTION NO.: 19 Civ. 7178 (LGS) (SLC)

**ORDER TO CONSIDER MAGISTRATE  
JUDGE JURISDICTION**

**SARAH L. CAVE**, United States Magistrate Judge.

In accordance with the provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, a United States Magistrate Judge is available to conduct all proceedings in this case, including but not limited to any decisions on motions, any jury or nonjury trial, and/or the entry of a final judgment. An appeal from a judgment entered by a Magistrate Judge, if any, is taken directly to the United States Court of Appeals in the same manner as an appeal from any other judgment of this district court.

It is the practice of the United States Magistrate Judges of this Court, including the undersigned, that cases that go to trial are given a firm trial date (rather than being placed on a “ready trial” list requiring the parties to be ready to try the case on short notice).

Exercise of jurisdiction by a Magistrate Judge is permitted only if all parties voluntarily consent. To determine whether the parties wish to voluntarily consent, defense counsel is directed to send to counsel for plaintiff on or before **February 21, 2020** a copy of the consent form bearing either (1) a signature indicating consent to the Magistrate Judge conducting all proceedings in this matter or (2) a notation that the defendant does not consent.

On or before **February 28, 2020** plaintiff's counsel is directed to contact the Deputy Clerk Norma Espinal either by telephone, at (212) 805-0214, or by letter. Plaintiff's counsel shall inform the Deputy Clerk whether all parties have consented to the Magistrate Judge conducting the proceedings in this matter. If any party has not consented, counsel for the plaintiff shall not inform the clerk which of the parties have not consented but shall merely state that there has not been consent by all parties.

If all parties have consented, counsel shall file a letter on ECF so stating and attaching the signed consent form, available at <https://www.nysd.uscourts.gov/hon-sarah-l-cave>.

This Order is not intended to interfere with the parties' right to have a trial and/or any other dispositive proceedings before a United States District Judge. The parties are free to withhold their consent without adverse substantive consequences, although this will prevent the Court's jurisdiction from being exercised by a United States Magistrate Judge. If any party withholds consent, the identity of the parties consenting or withholding consent shall not be communicated to any Magistrate Judge or District Judge to whom the case has been assigned.

Dated:           New York, New York  
                    February 11, 2020

SO ORDERED

  
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**SARAH L. CAVE**  
**United States Magistrate Judge**